

RETURN

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TO AN ADDRESS OF THE HOUSE OF COMMONS, dated February 7, 1916, showing a copy of all correspondence with the Imperial Authorities respecting legislation by the Parliament of United Kingdom, in answer to the petition of the Canadian Parliament asking for amendment of the British North America Act with reference to the Senate.

P. E. BLONDIN,
Secretary of State.

PRIVY COUNCIL.

OTTAWA, April 10, 1915.

SIR,—I have the honour to forward, for the information of Your Royal Highness, copy of an Address to His Majesty the King, which has been passed by the Senate and House of Commons of Canada, and which prays for certain amendments in the British North America Act, 1867, as set forth in the said Address.

The proper official will transmit to Your Royal Highness a properly authenticated copy of the Address in order that the same may be forwarded to the Right Honourable the Secretary of State for the Colonies.

As the matter is somewhat urgent I have the honour to request that Your Royal Highness may be pleased to transmit a message by cable in the form or to the effect set forth in the enclosed draft.

I have the honour to be, sir,

Your most obedient humble servant,

R. L. BORDEN.

Field Marshal,

His Royal Highness

The Governor General,

Ottawa, Ont..

GOVERNMENT HOUSE,

OTTAWA, April 11, 1915.

DEAR SIR ROBERT,—I have to acknowledge your letter of yesterday's date forwarding copy of an Address to the King, which has been passed by the Senate and the

House of Commons, praying for certain amendments in the British North America Act of 1867.

At your request this Address is to-day being forwarded to London by cable.

Believe me,

Yours sincerely,

ARTHUR.

The Rt. Honourable

Sir ROBERT L. BORDEN, G.C.M.G.,

Prime Minister,

Ottawa.

EXTERNAL AFFAIRS.

SCHEDULE of correspondence with the Imperial Authorities respecting legislation by the Parliament of United Kingdom, in answer to the petition of the Canadian Parliament asking for amendment of the British North America Act with reference to the Senate.

No. 1.....	From the Governor General to the Secretary of State for the Colonies.	Date 12th April, 1915	Telegram.
No. 2.....	From Secretary of State for the Colonies to the Governor General.	Date 29th April, 1915	Telegram.
No. 3.....	From the Governor General to the Secretary of State for the Colonies.	Date 30th April, 1915	No. 310.
No. 4.....	From the Governor General to the Secretary of State for the Colonies.	Date 1st May, 1915..	Telegram
No. 5 . .	From the Secretary of State for the Colonies to the Governor General.	Date 5th May, 1915 .	Telegram.
No. 6.....	From the Secretary of State for the Colonies to the Governor General.	Date 20th May, 1915.	No. 457.

No. 1.

From the Governor General to the Secretary of State for the Colonies.

OTTAWA, April 12, 1915.

Telegram.

A joint Address to His Majesty the King has been passed by the Senate and House of Commons in the following terms. Begins:—

TO THE KING'S MOST EXCELLENT MAJESTY:

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's most dutiful and loyal subjects the Senate and Commons of Canada, in Parliament assembled, humbly approach Your Majesty praying that you may graciously be pleased to give your consent to submitting a measure to the Parliament of the United Kingdom to amend certain provisions of the British North America Act, 1867, in the manner following, or to the following effect:—

An Act to amend the British North America Act, 1867.

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

SESSIONAL PAPER No. 244

1. Notwithstanding anything in the British North America Act, 1867, or in any Act amending the same, or in any Order in Council or terms or conditions of union made or approved under the said Acts, or in any Act of the Parliament of Canada:

(1) The number of senators provided for by section 21 of the British North America Act, 1867, is increased from seventy-two to ninety-six.

(2) The divisions of Canada in relation to the constitution of the Senate provided for by section 22 of the said Act, are increased from three to four; the fourth division to comprise the Western Provinces, Manitoba, British Columbia, Saskatchewan and Alberta, which four divisions shall (subject to the provisions of the said Act and of this Act) be equally represented in the Senate, as follows:—

Ontario, by twenty-four senators; Quebec, by twenty-four senators; the Maritime Provinces and Prince Edward Island, by twenty-four senators, ten thereof representing Nova Scotia, ten thereof representing New Brunswick and four thereof representing Prince Edward Island; the Western Provinces by twenty-four senators, six thereof representing Manitoba, six thereof representing British Columbia, six thereof representing Saskatchewan, and six thereof representing Alberta.

(3) The number of persons whom, by section 26 of the said Act, the Governor General may upon the direction of the King, add to the Senate, is increased from three or six to four or eight, representing equally the four divisions of Canada.

(4) In case of such addition being at any time made, the Governor General shall not summon any person to the Senate, except upon a further like direction by the King on the like recommendation, to represent one of the four divisions until such division is represented by twenty-four senators and no more.

(5) The number of senators shall not at any time exceed one hundred and four.

(6) The representation in the Senate to which, by section 147 of the British North America Act, 1867, Newfoundland would be entitled in case of its admission to the union, is increased from four to six members, and in the case of the admission of Newfoundland into the union, notwithstanding anything in the said Act, or in this Act, the normal number of senators shall be one hundred and two, and their maximum number one hundred and ten.

(7) Nothing herein contained shall affect the powers of the Parliament of Canada under the British North America Act, 1886.

2. The British North America Act, 1867, is amended by adding thereto the following section immediately after section 51 of the said Act.

(51a) Notwithstanding anything in this Act, a Province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such Province.

3. The first section of this Act, paragraphs 1 to 6, inclusive, shall not take effect until the termination of the now existing Canadian Parliament.

My advisers are anxious that the necessary legislation should be enacted at the present session of the Imperial Parliament and hope that there is nothing to prevent this.

Despatch follows.

ARTHUR.

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No. 2.

*From the Secretary of State for the Colonies to the Governor General.**(Telegram.)*

LONDON, April 29, 1915.

With reference to your telegram 12th April¹ amending British North America Act, 1867, subject to receipt of Despatch Imperial Bill will be introduced early next week; it follows wording of your telegram. 3rd clause will be made a subsection of 1st clause as a drafting amendment suggested by Parliamentary Counsel. When was despatch sent and by what ship?

HARCOURT.

¹ No. 1.

No. 3.

From the Governor General to the Secretary of State for the Colonies.

No. 310.

CANADA, GOVERNMENT HOUSE,

OTTAWA, April 30, 1915.

SIR,—With reference to my telegram of the 12th April,¹ on the subject of the Resolution regarding the British North America Act, 1867, I have the honour to transmit, herewith, properly certified copies of the Resolution.

I regret that these should not have been sent before, but the Resolution was only sent to my office on the 29th of April.

I have, etc.,

ARTHUR.

The Right Honourable

LEWIS V. HARCOURT, M.P.,

Secretary of State for the Colonies.

¹ No. 1.

No. 4.

*From the Governor General to the Secretary of State for the Colonies.**(Telegram.)*

OTTAWA, May 1, 1915.

Referring to your telegram April 30,¹ British North America Act, certified copies of Resolution sent with my despatch of April 30, No. 310, by mail of April 30 by ss. *Hesperian*.

ARTHUR.

¹ No. 2.

No. 5.

*From the Secretary of State for the Colonies to the Governor General.**(Telegram.)*

LONDON, May 5, 1915.

Imperial Bill for amendment of North America Act all ready for presentation but cannot be introduced until your despatch arrives with resolution of two Houses of your Parliament, and I presume explanatory memoranda. As soon as these are received Bill will be proceeded with with as little delay as possible.

HARCOURT.

SESSIONAL PAPER No. 244

No. 6.

From the Secretary of State for the Colonies to the Governor General.

Canada, No. 457.

DOWNING STREET, May 20, 1915.

SIR,—I have received and laid before the King Your Royal Highness' despatch No. 310 of the 30th ultimo,¹ forwarding a joint Address to His Majesty from the Senate and House of Commons of Canada, praying that His Majesty would consent to submit a measure to the Imperial Parliament to amend certain provisions in the British North America Act, 1867.

2. I now transmit to you, for communication to your Government, copies of a Bill which I introduced into the House of Commons. This Bill has been read a third time in both Houses and has now received the Royal Assent.

I have, etc.,

L. HARCOURT.

Governor General,

His Royal Highness

The DUKE OF CONNAUGHT AND OF STRATHEARN, K.G., etc.

¹ No. 3.

(Enclosure in No. 6.)

(5 & 6 Geo. V.)

A Bill intituled: An Act to amend the British North America Act, 1867.

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Notwithstanding anything in the British North America Act, 1867, or in any Act amending the same, or in any Order in Council or terms or conditions of union made or approved under the said Acts or in any Act of the Canadian Parliament—

(I) The number of senators provided for under section twenty-one of the British North America Act, 1867, is increased from seventy-two to ninety-six;

(II) The divisions of Canada in relation to the constitution of the Senate provided for by section twenty-two of the said Act are increased from three to four, the fourth division to comprise the Western Provinces of Manitoba, British Columbia, Saskatchewan, and Alberta, which four divisions shall (subject to the provisions of the said Act and of this Act) be equally represented in the Senate, as follows: Ontario by twenty-four senators; Quebec by twenty-four senators; the Maritime Provinces and Prince Edward Island by twenty-four senators, ten thereof representing Nova Scotia, ten thereof representing New Brunswick, and four thereof representing Prince Edward Island; the western provinces by twenty-four senators, six thereof representing Manitoba, six thereof representing British Columbia, six thereof representing Saskatchewan, and six thereof representing Alberta;

(III) The number of persons, whom by section twenty-six of the said Act the Governor General of Canada may upon the direction of His Majesty the King add to the Senate is increased from three or six to four or eight, representing equally the four divisions of Canada;

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(IV) In case of such addition being at any time made the Governor General of Canada shall not summon any person to the Senate except upon a further like direction by His Majesty the King on the like recommendation to represent one of the four divisions until such division is represented by twenty-four senators and no more;

(V) The number of senators shall not at any time exceed one hundred and four;

(VI) The representation in the Senate to which by section one hundred and forty-seven of the British North America Act, 1867, Newfoundland would be entitled, in case of its admission to the union is increased from four to six members, and in case of the admission of Newfoundland into the union, notwithstanding anything in the said Act or in this Act, the normal number of senators shall be one hundred and two, and their maximum number one hundred and ten;

(VII) Nothing herein contained shall affect the powers of the Canadian Parliament under the British North America Act, 1886.

(2) Paragraphs (I) and (VI) inclusive of subsection (1) of this section shall not take effect before the termination of the now existing Canadian Parliament.

2. The British North America Act, 1867, is amended by adding thereto the following section immediately after section fifty-one of the said Act:—

51a. Notwithstanding anything in this Act, a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province.

3. This Act may be cited as the British North America Act, 1915, and the British North America Acts, 1867 to 1886, and this Act may be cited together as the British North America Acts, 1867 to 1915.